

Department of Defense (DoD)
Civilian Personnel Management Service (CPMS)
Field Advisory Services - *FAS*
Classification Appeal Decision

| | |
|--------------------------------|--|
| DoD Decision: | Realty Officer, GS-1170-14 |
| Initial classification: | Realty Officer, GS-1170-14 |
| Organization: | Army Corps of Engineers Engineer Division |
| Date: | February 02, 1995 |

SOURCES OF INFORMATION

This appeal decision is based on information from the following sources:

1. The appellant's letter of, appealing the classification of his position.
2. The Department of the Army, letter, undated, providing position and organization information.
3. Telephone discussion with appellant.

STANDARDS REFERENCED

OPM General Schedule Supervisory Guide, April 1993

SERIES AND TITLE DETERMINATION

The appellant does not contest his title or series.

GRADE DETERMINATION

The appellant contests the grade determination of his position. This disagreement centers on

application of Factors 1 and 3 of the GSSG. Since the appellant did not express concern with the levels assigned the other factors, the focus of our analysis will be on Factors 1 and 3. After having reviewed the evaluation statement addressing Factors 2, 4, 5 and 6, we are in agreement with its conclusion.

POSITION INFORMATION

The appellant is assigned to a position as a Realty Officer, GS-1170-14. Both supervisor and appellant have certified to the accuracy of the position description.

The Directorate of Real Estate, SPD, exercises staff supervision and performs staff inspections over its districts in real estate matters. The districts of SPD include the states of as well as portions of four other states.

The components of the Real Estate Directorate are Appraisal, Acquisition, Planning/Control, and Management/Disposal. Acquisition provides staff direction on acquisition matters and programs, reviews legal instruments used in the acquisition of real estate, provides interpretation and classification of acquisition policies and implementing regulations, reviews and approves real estate features of general design memorandums, local cooperation agreements and other civil works documents. Appraisal develops procedures and policy on real estate appraisals for application by district offices; reviews and approves gross and tract appraisals; consultant on valuation phases of real estate acquisition and appraisal; reviews rental rates involving rental of government owned quarters on real property to government employees and appeals from such rates; coordinates mobilization real estate activities. Management and Disposal evaluates technical material and supporting documentation to insure decisions conform to law, regulation and policy. Reviews and recommends approval of utilization reports and other reports recommending better management of facilities or disposal of excess properties. Planning and Control provides staff direction in scheduling workload, budget, manpower requirements and other associated planning and control reports concerning real estate activities; provides interpretation and classification of instructions and regulations for reporting, mapping and auditing and provides implementing instructions; reviews and approves audit assemblies; reviews, analyzes and evaluates through automated data systems the accuracy and adequacy of real estate schedules and actual performance of real estate management activities and provides remedial measures where deficiencies are indicated.

The appellant directs and manages the Directorate of Real Estate, SPD covering both military and civil real property to meet the requirements of the Army, Air Force, Department of Energy and other serviced federal agencies in all or part of the nine states. He establishes goals and objectives for the Directorate, and for activities of district real estate offices. The appellant exercises delegated managerial authority over the division-wide real estate program

through subordinate managers who determine program goals, provide guidance, consultation, policy and policy resolution, and oversight of the districts. He prepares subordinates performance ratings, approves time, attendance, leave, travel, and training, manages bonus, awards and grievances, arranges duty hours to ensure the office is covered, and resolves any personnel conflicts. The appellant is closely involved with high-level program officials in developing the division's overall goals and objectives for assigned staff functions, programs or program segments. He attends the Division Commander's staff meetings, meetings with other directors and senior staff of the division, and meetings with outside interests.

As Director, the appellant supervises a staff consisting of:

- 1 Secretary, GS-318-06
- 1 Review Appraiser, GS-1171-13
- 2 Realty Specialist, GS-1170-13
- 1 Realty Specialist, GS-1170-12

FACTOR 1 - PROGRAM SCOPE AND EFFECT

a. The appellant believes the classifier did not consider real estate activities to be an Army program composed of several separate and distinct program segments or components. It is an Army program implemented by the Army's . The components are separate and distinct, however, all components together make up the whole of the Real Estate program. The scope of this program involves coverage encompassing several states, (and portions of four other states). It also extends to its counterparts within the Army ideas and procedures to be adopted by the other divisions. The Army is also one of a few landholding Army components with delegation from the Department of Justice to acquire property. It is acquired for permanent or temporary use for civil works, military works, and other purposes for the Federal Aviation Administration, Environmental Protection Agency, National Aeronautics and Space Administration, and other federal agencies lacking Department of Justice delegation to acquire.

b. Appellant believes the level of program scope and effect should be at factor level 1-4 as opposed to factor level 1-3. Factor level 1-4, however, emphasizes the impact of the work as extending to the agency's (Department of the Army) entire field establishment or its headquarters operations. With an impact of this magnitude frequent or continuing congressional or media attention is typical. Level 1-4 is not applicable because the extent of the work does not impact the agency (Department of the Army). Factor level 3-1 is applicable because the work directed has coverage of a small region of several States and impacts the Army headquarters operations through its real estate transactions for the Department of the Army as well as other military components.

FACTOR 3 - SUPERVISORY AND MANAGERIAL AUTHORITY EXERCISED

Appellant believes Factor 3 of the GSSG was incorrectly applied by failing to credit subordinate real estate program managers with extensive management responsibilities over their respective program components which would have given them first line supervisor status. He believes this resulted in reduction of responsibility of the Director position to that of a first line supervisor, as opposed to a second line supervisor.

Factor 3 of the GSSG makes no provision for crediting extensive management responsibilities for first line supervision. The GSSG provides evaluation for managerial positions which include accomplishment of work through supervision of others. This supervisory responsibility must meet factor level 3-1 which requires an incumbent to exercise the minimum supervisory and managerial authorities and responsibilities required for coverage under the GSSG. These authorities are assign and review work daily, weekly or monthly; assume that accuracy and production requirements are met; approve leave; recommend performance standards and ratings and exercise four or five of the authorities and responsibilities at factor level 3-2c at factor level 3-2. The positions of the appellant's subordinates do not meet the minimum supervisory authority described at the lowest level of Factor 3 in this guide.

The appellant contends factor level 3-3a is fully met, with elements of factor level 3-4a present in his position. Factor level 3-3a requires implementation of work be accomplished through subordinate supervisors. The appellant does not have subordinate supervisors. Factor level 3-4a also requires an incumbent oversee the overall planning, direction, and timely execution of a program, several program segments, each of which is managed through separate subordinate organizational units or subordinate supervisors. The supervisory and managerial authority exercised by the appellant exceeds 3-1, and meets level 3-2.

FINAL CLASSIFICATION

Realty Officer, GS-1170-14